

Coast Guard, DHS

§ 154.300

changes of information and shall cancel, in writing, the letter for any facility at which transfer operations are no longer conducted.

[CGD 75-124, 45 FR 7169, Jan. 31, 1980, as amended by CGD 86-034, 55 FR 36252, Sept. 4, 1990; CGD 93-056, 61 FR 41458, Aug. 8, 1996]

§ 154.120 Facility examinations.

(a) The facility operator shall allow the Coast Guard, at any time, to make any examination and shall perform, upon request, any test to determine compliance with this part and part 156, as applicable. The facility operator shall conduct all required testing of facility equipment in a manner acceptable to the Coast Guard.

(b) The COTP shall provide the facility operator with a written report of the results of the examination for the record required by §154.740(e) and shall list the deficiencies in the report when the facility is not in compliance with the requirements in this part and part 156 of this chapter.

[CGD 75-124, 45 FR 7169, Jan. 31, 1980]

§ 154.T150 Temporary suspension of requirements to permit support of deepwater horizon spill response.

(a) *Applicability.* This section applies to—

(1) Any facility described in §154.100 of this part, that has contracted with any oil spill removal organization (OSRO), as defined in §154.1020 of this part, if the OSRO's response resources, as defined in §154.1020 of this part, are deployed in coordination with the On-Scene Coordinator (OSC), as defined in 40 CFR 300.5, in support of the response to the Deepwater Horizon Spill of National Significance; and

(2) Any facility described in §154.100 of this part, that owns, operates, or has under its direct control, response resources, as defined in §154.1020 of this part, deployed in coordination with the OSC, as described in 40 CFR 300.5, in support of the response to the Deepwater Horizon Spill of National Significance.

(b) *Suspension of certain response time requirements.* From June 30, 2010 through December 31, 2010, the stipulated response times, including the response times contained in any written contractual agreement with any OSRO,

for the availability of response resources, as defined in §154.1020 of this part, for a maximum most probable discharge and a worst case discharge are not necessary to meet the requirements of this part.

(c) *Other response time requirements still effective.* Any response time requirements for the availability of response resources, as defined in §154.1020 of this part, for an average most probable discharge, as required by this part, remain in effect.

(d) *Armed Forces installation planning factors.* The Coast Guard authorizes the Armed Forces to revise Armed Forces installation response times to below that which is necessary to respond to an average most probable discharge at those installations that have deployed assets in support of the response to the Deepwater Horizon Spill of National Significance in response to a request from the OSC, as described in 40 CFR 300.5, for such assets.

EFFECTIVE DATE NOTE: By USCG-2010-0592, 75 FR 37719, June 30, 2010, temporary §154.T150 was added, effective June 30, 2010 through Dec. 31, 2010.

Subpart B—Operations Manual

§ 154.300 Operations manual: General.

(a) The facility operator of each facility to which this part applies shall submit, with the letter of intent, two copies of an Operations Manual that:

(1) Describes how the applicant meets the operating rules and equipment requirements prescribed by this part and part 156 of this chapter;

(2) Describes the responsibilities of personnel under this part and part 156 of this chapter in conducting transfer operations; and

(3) Includes translations into a language or languages understood by all designated persons in charge of transfer operations employed by the facility.

(b) The facility operator shall maintain the operations manual so that it is:

(1) Current; and

(2) Readily available for examination by the COTP.

(c) The COTP shall examine the Operations Manual when submitted, after

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any substantial amendment, and as otherwise required by the COTP.

(d) In determining whether the manual meets the requirements of this part and part 156 of this chapter the COTP shall consider the size, complexity, and capability of the facility.

(e) If the manual meets the requirements of this part and part 156 of this chapter, the COTP will return one copy of the manual marked “Examined by the Coast Guard” as described in § 154.325.

(f) The facility operator shall ensure that a sufficient number of copies of the examined Operations Manual, including a sufficient number of the translations required by paragraph (a)(3) of this section, are readily available for each facility person in charge while conducting a transfer operation.

NOTE: The facility operator may request that the contents of the operations manual or portions thereof be considered commercial or financial information that is privileged or confidential. Under the Freedom of Information Act, the Coast Guard would withhold any part of the contents of the operations manual from public disclosure upon determining that it is commercial or financial information that is privileged or confidential.

[CGD 75–124, 45 FR 7169, Jan. 31, 1980, as amended by CGD 86–034, 55 FR 36253, Sept. 4, 1990; CGD 93–056, 61 FR 41458, Aug. 8, 1996]

§ 154.310 Operations manual: Contents.

(a) Each operations manual required by § 154.300 must contain:

(1) The geographic location of the facility;

(2) A physical description of the facility including a plan and/or plans, maps, drawings, aerial photographs or diagrams, showing the boundaries of the facility subject to Coast Guard jurisdiction, mooring areas, transfer locations, control stations, wharfs, the extent and scope of the piping subject to the tests required by § 156.170(c)(4) of this chapter, and the locations of safety equipment. For mobile facilities, a physical description of the facility;

(3) The hours of operation of the facility;

(4) The sizes, types, and number of vessels that the facility can transfer oil or hazardous material to or from simultaneously;

(5) For each product transferred at the facility:

(i) Generic or chemical name; and

(ii) The following cargo information:

(a) The name of the cargo as listed under appendix II of annex II of MARPOL 73/78, Table 30.25–1 of 46 CFR 30.25–1, Table 151.05 of 46 CFR 151.05–1, or Table 1 of 46 CFR part 153.

(b) A description of the appearance of the cargo;

(c) A description of the odor of the cargo;

(d) The hazards involved in handling the cargo;

(e) Instructions for safe handling of the cargo;

(f) The procedures to be followed if the cargo spills or leaks, or if a person is exposed to the cargo; and

(g) A list of fire fighting procedures and extinguishing agents effective with fires involving the cargo.

(6) The minimum number of persons on duty during transfer operations and their duties;

(7) The name and telephone number of the qualified individual identified under § 154.1026 of this part and the title and/or position and telephone number of the Coast Guard, State, local, and other personnel who may be called by the employees of the facility in an emergency;

(8) The duties of watchmen, required by § 155.810 of this chapter and 46 CFR 35.05–15, for unmanned vessels moored at the facility;

(9) A description of each communication system required by this part;

(10) The location and facilities of each personnel shelter, if any;

(11) A description and instructions for the use of drip and discharge collection and vessel slop reception facilities, if any;

(12) A description and the location of each emergency shutdown system;

(13) Quantity, types, locations, and instructions for use of monitoring devices if required by § 154.525;

(14) Quantity, type, location, instructions for use, and time limits for gaining access to the containment equipment required by § 154.545;

(15) Quantity, type, location, and instructions for use of fire extinguishing equipment required by § 154.735(d) of this part;

(16) The maximum allowable working pressure (MAWP) of each loading arm,